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ENVIRONMENT AND SUSTAINABLE DEVELOPMENT: PROTECTION OF GLOBAL CLIMATE FOR PRESENT AND FUTURE GENERATIONS OF MANKIND

PROGRAMME BUDGET FOR THE BIENNIUM 1996-1997

Report of the Secretary-General

I. INTRODUCTION

1. In its resolution 50/115 of 20 December 1995, the General Assembly, inter alia, endorsed the institutional linkage between the secretariat of the United Nations Framework Convention on Climate Change and the United Nations, as advised by the Secretary-General and adopted by the Conference of the Parties to the Convention at its first session, 1/ and requested the Secretary-General to review the functioning of the institutional linkage not later than 31 December 1999, in consultation with the Conference of the Parties, with a view to making such modifications as might be considered desirable by both parties and to report thereon to the Assembly.

2. The General Assembly decided to include in the calendar of conferences and meetings for 1996-1997 the sessions of the Conference of the Parties and its subsidiary bodies envisaged for that biennium entailing 12 weeks of conference-servicing facilities, and requested the Secretary-General to make the necessary arrangements to include in the calendar of conferences and meetings for the biennium 1998-1999 those sessions of the Conference of the Parties and its subsidiary bodies that the Conference might need to convene in that period.

3. In addition, the General Assembly took note of the transitional arrangement for administrative support to the Convention secretariat, outlined in the report of the Secretary-General to the Assembly at its fiftieth session (A/50/716, paras. 36-38), and took note of the financing arrangements for provision of conference-servicing facilities outlined in paragraph 2 above and requested the Secretary-General to review those arrangements towards the end of the biennium 1996-1997 and to report upon the results of that review to the Assembly at its fifty-second session.

4. The General Assembly also noted that the Secretary-General intended to transfer the end-1995 balance in the trust fund established under paragraph 20 of its resolution 45/212 into the trust fund to be established for all expenditures under the core administrative budget of the Convention envisaged in paragraph 13 of its financial procedures, and the end-1995 balance in the special voluntary fund established under paragraph 10 of its resolution 45/212 into the trust fund for participation in the Convention process envisaged in paragraph 15 of those financial procedures.

5. The General Assembly requested the Secretary-General to report to it at its fifty-first session on the implementation of the resolution. The present report is submitted pursuant to that request.

6. This report reviews developments subsequent to the adoption of resolution 50/115 regarding:

(a) Provision of conference-servicing facilities for sessions of the Conference of the Parties and its subsidiary bodies;

(b) Arrangements for administrative support to the Convention secretariat, including delegation of authority to the Executive Secretary of the Convention;

(c) Transfer of end-1995 balances in funds established under resolution 45/212;

(d) Institutional linkages.

II. CONFERENCE-SERVICING FACILITIES

A. Conference services

7. Subsequent to the adoption of General Assembly resolution 50/115, whereby the Assembly decided to include 12 weeks of conference-servicing facilities for the sessions of the Conference of the Parties to the United Nations Framework Convention on Climate Change and its subsidiary bodies in the calendar of meetings for the biennium 1996-1997, relevant budgetary action was taken by the Advisory Committee on Administrative and Budgetary Questions (see A/50/7/Add.15) and the Fifth Committee (see A/C.5/50/58). In this connection, the Advisory Committee noted that the annual programme of meetings of the Conference of the Parties and its subsidiary bodies would amount to a total of 120 meetings over three two-week periods, for a total of six calendar weeks a year, equivalent to 12 weeks of meetings a year.

8. Following the consideration of this matter by the Advisory Committee and the Fifth Committee, the General Assembly adopted resolution 50/232 on 7 June 1996, the operative part of which reads:

> "1. Authorizes the Secretary-General to enter into commitments up to an amount of 5,517,000 United States dollars from section 26 (Administration and management) of the programme budget for the biennium 1996-1997 for the provision of conference servicing to the Conference of

the Parties to the United Nations Framework Convention on Climate Change and its subsidiary bodies;

"2. Requests the Secretary-General, subject to the full implementation of all mandated programmes and activities as required by its resolution 50/214, to submit a report to the General Assembly no later than 1 September 1996 containing proposals on possible means of absorption in the programme budget for the biennium 1996-1997;

"3. Decides to revert to the issue of appropriations in the context of the first performance report."

9. In line with General Assembly resolutions 50/115 and 50/232, conference services are being provided to the Conference of the Parties and its subsidiary bodies for all meetings scheduled in the biennium 1996-1997 under the United Nations calendar. As regards the biennium 1998-1999 the Secretary-General intends to report to the General Assembly on the issue of those services in the context of the proposed programme budget for the biennium 1998-1999.

10. By its decision 1/CP.2, the Conference of the Parties accepted the offer of the Government of Japan to host its third session at Kyoto in December 1997, and requested the Executive Secretary to make satisfactory arrangements with the Government of Japan for it to host the Conference at Kyoto and to meet the related costs involved. It is anticipated that an appropriate conference agreement will be concluded between the Convention secretariat and the Government of Japan.

B. Documentation

11. In its report on conference servicing of the Conference of the Parties and its subsidiary bodies (A/50/7/Add.15), the ACABQ raised the question of the volume of documentation and recommended that in line with the economy measures being taken in the United Nations Secretariat, the Conference of the Parties should be requested to review the number of documents envisaged and the manner in which they were to be produced.

12. The Conference of the Parties took up this question, at its second session, held from 8 to 19 July 1996, and adopted decision 17/CP.2 on volume of documentation, which reads: 2/

"The Conference of the Parties

"1. Calls on all Parties to limit, to the extent possible, requests for additional documentation, and also the volume of comments submitted for consideration by the Conference of the Parties or its subsidiary bodies;

"2. Requests the Executive Secretary to limit, to the extent possible, the number and length of documents produced by the secretariat;

"3. Requests the Executive Secretary to submit to the Subsidiary Body for Implementation, at its fifth session, further options for reducing the

cost of documentation for the meetings of the Conference of the Parties and its subsidiary bodies."

III. ADMINISTRATIVE SUPPORT TO THE CONVENTION SECRETARIAT

13. By resolution 50/115, the General Assembly took note of the transitional arrangement for administrative support to the Convention secretariat for the biennium 1996-1997 outlined in the report of the Secretary-General (A/50/716, paras. 36-38). This arrangement entails the levying of a charge of 13 per cent on the funds of the Convention for programme support costs, and the use of the proceeds of that charge for the provision of full administrative support services to the Convention secretariat, including administrative staff.

14. As a consequence of these arrangements, specifically the provision of full administrative support to the Convention secretariat, it has been possible initially for the United Nations to cover, from the proceeds of the overhead charge, the cost of three positions for administrative staff approved by the Conference of the Parties in the convention budget for 1996. It is understood that such services would evolve to cover needs resulting from the establishment of the secretariat in Bonn.

15. Furthermore, the Under-Secretary-General for Administration and Management, after consultation with the Executive Secretary, has established detailed administrative arrangements for the Convention secretariat, which are based on the foundation provided by the Staff Regulations and Rules and the Financial Regulations and Rules of the United Nations and the financial procedures of the Convention (decision 15/CP.1). The arrangements also reflect the accountability of the Executive Secretary to the Secretary-General of the United Nations, through the Under-Secretary-General for Administration and Management on administrative and financial issues. The United Nations Office at Geneva, Division of Administration, will provide the relevant personnel, financial and administrative services to the Convention secretariat.

16. As regards personnel matters, the arrangements provide for the Executive Secretary to exercise full authority, under the Staff Regulations and Rules of the United Nations, in matters relating to the appointment, promotion and termination of secretariat staff. Appointments will be limited to service with the Convention secretariat. The Secretary-General is to retain authority for final decisions on disciplinary and appeal matters, and on compensation claims in respect of service-incurred death, injury or disability.

17. As regards financial matters, the arrangements reflect the Executive Secretary's full authority to incur obligations under the budget approved by the Conference of the Parties, while the United Nations will verify, prior to payment, that the goods have been received, or the services rendered, in accordance with the documents which established the related obligation. The arrangements also provide for the Convention secretariat to be exempt from such restrictions as the Secretary-General may from time to time impose on the employment of personnel and on the use of funds for operational requirements. The trust fund for the core budget of the Convention will be exempt from the standard United Nations requirement to establish an operational reserve on the

understanding that the working capital reserve of the Convention will be established and maintained within the fund.

18. The financial arrangements further provide for the Executive Secretary to approve procurement of goods and services up to a maximum of $50,000 for each transaction; transactions exceeding this limit shall be approved by the Director-General of the United Nations Office at Geneva in accordance with the appropriate United Nations financial rule.

19. The arrangements summarized above will apply during the biennium 1996-1997 and will be subject to a review by the Secretary-General towards the end of the biennium (see para. 3 above), taking into account evolving needs arising from the relocation to Bonn of the Convention secretariat.

IV. TRANSFER OF END-1995 BALANCES IN FUNDS ESTABLISHED UNDER GENERAL ASSEMBLY RESOLUTION 45/212

20. As envisaged in General Assembly resolution 50/115, the end-1995 balances remaining in the trust fund for the negotiating process established under paragraph 20 of resolution 45/212, and in the special voluntary fund for participation established under paragraph 10 of the same resolution, are being transferred respectively to the trust fund for the core budget of the Convention envisaged in paragraph 13 of its financial procedures, and to the trust fund for participation in the Convention process envisaged in paragraph 15 of the financial procedures. The transfer is subject to 15 per cent of the balances being withheld until 1997 to cover unliquidated obligations, although it has been agreed that the Convention secretariat can already start drawing on these amounts.

V. INSTITUTIONAL LINKAGES

21. By its decision 15/CP.2, the Conference of the Parties concluded that it should consider whether the functions of the Convention secretariat necessitate that it be given juridical personality on the international plane. It is hoped that this matter will be clarified in the context of the review of the institutional linkage of the Convention secretariat to the United Nations.

Notes

1/ See FCCC/CP/1995/7/Add.1, decision 14/CP.1, and A/50/716, paras. 34-35.

2/ For all decisions of the Conference of the Parties at its second session, see FCCC/CP/1996/15/Add.1.